



United States Department of Agriculture

Food Safety and
Inspection Service

1400 Independence
Avenue, SW.
Washington, D.C.
20250

JUL 16 2013

Mr. Michael Morisy
MuckRock News
Dept. MR 2610
Post Office Box 55819
Boston, Massachusetts 02205-5819

RE: FOIA-2013-00301

Dear Mr. Morisy:

This letter acknowledges receipt of your Freedom of Information Act (FOIA) request to the Department of Agriculture's (USDA) Food Safety and Inspection Service (FSIS) dated February 1, 2013, in which you requested a copy of each OPPD PDD Weekly Activity Report, from January 1, 2012 to July 15, 2013. FSIS received your request on July 15, 2013, and assigned tracking number FOIA-2013-00301. Please reference this number in any future communications with this office with regard to your request.

Pursuant to the FOIA, 5 USC 552(a)(6)(A)(i), the USDA's FSIS has twenty (20) working days upon receipt of a request to make a determination. In unusual circumstances, such as an agency's backlog or the need to examine a voluminous amount of records required by the request, or the need to consult with another agency, FSIS can extend the 20-day time limit for processing a request.

In addition to your request for records, you asked that we waive all fees associated with processing your request.

The USDA's FOIA Regulations, 7 CFR, Part 1, Subpart A, Appendix A, sets forth six factors to examine in determining whether the applicable legal standard for a fee waiver has been met. We will consider these factors in our evaluation of your request for a fee waiver:

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1. Whether the subject of the requested records concerns "the operations or activities of the government."
2. Whether the disclosure is "likely to contribute" to an understanding of government operations or activities.
3. Whether disclosure of the requested information will contribute to the understanding of the public at large, as opposed to the individual understanding of the requester or a narrow segment of interested persons.
4. Whether the contribution to public understanding of government operations or activities will be "significant."
5. Whether the requester has a commercial interest that would be furthered by the requested disclosure.
6. Whether the magnitude of any identified commercial interest to the requester is sufficiently large in comparison with the public interest in disclosure, that disclosure is primarily in the commercial interest of the requester.

As a requester, you bear the burden under the FOIA of showing that the Fee waiver requirements have been met. Based on my review of your February 1, 2013, letter and for the reasons stated herein, I have determined that your fee waiver request does sufficiently meet all of the criteria under the FOIA and the applicable regulations. Therefore, your request for a fee waiver is approved.

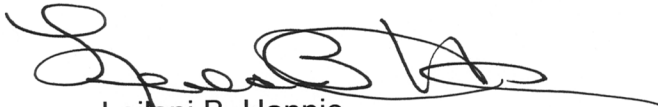
We will comply with your request to the fullest extent permissible by law. Any records not subject to an exemption will be forwarded to you promptly upon completion of FSIS' search and review process or if applicable, following receipt of any fees assessed to you.

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If you have any questions regarding the status of your request, please contact the FOIA staff at (202) 720-2109, or by e-mail at fsis.foia@usda.gov.

Thank you for your interest in FSIS programs and policies.

Sincerely,



Leilani B. Hannie
Director, FOIA Office
Freedom of Information Act



Clean • Separate • Cook • Chill

Visit befoodsafegov.gov, askkaren.gov, or call 1-888-MPHotline.